

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN CHISHOLM,

Defendant.

MEMORANDUM DECISION AND
ORDER EXCLUDING TIME

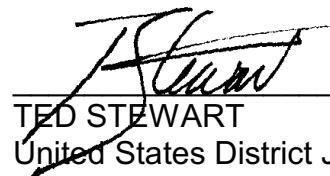
Case No. 1:10-CR-84 TS

This matter came before the Court for a status and scheduling conference following the Order Denying Defendant's Motion to Suppress. As set forth in the hearing, the earliest counsel can be prepared for trial is September. Counsel has been diligent and the Court finds the time is required for effective trial preparation, taking into account the exercise of due diligence, including filing the suppression motion. The Court further finds that the ends of justice served by briefly continuing the trial until the September date when counsel can be prepared outweighs the interest of the public and Defendant in a speedy trial. The Court finds that the time between the entry of the order denying the motion and the new date of trial should be excluded from the Speedy Trial Act calculation pursuant to 18 U.S.C. § 3161(H)(7).

SO ORDERED

DATED August 29, 2011.

BY THE COURT:



TED STEWART
United States District Judge